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ATTORNEYS AT LAW

October 13, 2022

By CM/ECF

The Hon. Gregory B. Williams
J. Caleb Boggs Federal Building
844 N. King Street
Unit 26, Room 6124
Wilmington, DE 19801

Re: *CBV, Inc. v. ChanBond, LLC*, 1:21-cv-01456-MN

Dear Judge Williams,

On behalf of Proposed Intervenors Gregory Collins and Kamal Mian, I write respectfully to object to any sealing of the Court's recent Memorandum Opinion in this action.

As this Court has recognized, "the party seeking to have court documents restricted from public access has the burden of establishing that the presumption of public records should be overcome, and that the burden is a heavy one." *Lipocine Inc. v. Clarus Therapeutics, Inc.*, 2020 WL 4569473 at *3 (D. Del. Aug. 7, 2020). "The moving party 'can overcome the strong presumption of access by providing 'sufficiently compelling reasons' that override the public policies favoring disclosure. In order to do so, however, 'the party must articulate compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure, such as the public interest in understanding the judicial process.'"... "Specificity in the showing of harm is essential." *Id.* (citations omitted).

"[T]he interest in ensuring that judicial records remain open to the public applies with special force to judicial opinions." *Id.* "Court decisions are the 'quintessential business of

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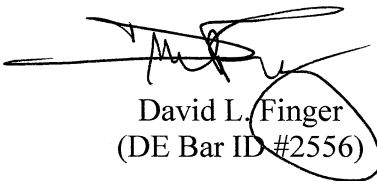
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the public's institutions.' And the issuance of public opinions is core 'to the transparency of the court's decisionmaking process.' Indeed, at least since the time of Edward III, judicial decisions have been held open for public inspection. *Id.* (quoting *In re Leopold to Unseal Certain Electronic Surveillance Applications and Orders*, 964 F.3d 1121, 1128 (D.C. Cir. 2020) (citations omitted)).

The Proposed Intervenor has pending a Motion to Unseal (D.I. 101), relying on the First Amendment and common law rights of public access. They ask that the Court review their papers in that motion, as they likely address the matters the parties wish to keep under seal.

As always, I am available at the convenience of the Court to answer any questions Your Honor may have.

Respectfully,



David L. Finger
(DE Bar ID #2556)

cc: Geoffrey Graham Grivner, Esq. (via e-filing)
Kody Macgyver Sparks, Esq. (via e-filing)
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